

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LUCIANO BARRAGAN, individually and as
a representative of a class of participants and
beneficiaries on behalf of the Honeywell
401(k) Plan,

Plaintiff,

v.

HONEYWELL INTERNATIONAL INC.,
and DOES 1 to 10 inclusive,

Defendants.

No. 24cv4529 (EP) (JRA)

ORDER

Defendant Honeywell International Inc. moves to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6). D.E. 45. Having reviewed the parties' submissions and all other relevant items on the docket, and having determined that oral argument is not necessary,

IT IS, on this 19th day of December 2024, for the reasons set forth in the accompanying Opinion,

ORDERED that Defendant's Motion, D.E. 45, is **GRANTED**; and it is further

ORDERED that the Complaint, D.E. 1, is **DISMISSED *without prejudice***; and it is further

ORDERED that Plaintiff shall have thirty (30) days from this Order to file an amended complaint that cures the deficiencies set forth in the accompanying Opinion; and it is finally

ORDERED that failure to do so may result in a dismissal ***with prejudice***.



Evelyn Padin, U.S.D.J.